

**Notice of Allowability**

Application No.

10/010,108

Examiner

Joseph A. Fischetti

Applicant(s)

CRISP, HARRY LEE

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to RCE dated June 11, 2004.
2. ☒ The allowed claim(s) is/are 25 and 28-32.
3. ☒ The drawings filed on 30 November 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All   b) ☐ Some\*   c) ☐ None   of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

### **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Atty. Smith on 8/30/04.

**Cancel claims 1-24.**

**Amend claim 25 as follows:**

Claim 25 (currently amended): A pressurizable drink supply canister for a beverage dispensing apparatus in a refrigerator, said pressurizable drink supply canister comprising:

a body adapted to hold a variable volume of a syrup drink supply under pressure, the body having a plurality of ends, each of the ends defining at least [one] a first and a second opening respectively;

a gas inlet valve mounted to a first one of the ends of the body, the gas inlet valve positioned at [a] said first opening [one of the openings], the gas inlet valve having: (a) an open position which enables pressurized gas to flow into the body to pressurize the syrup drink supply in the body; (b) a closed position which blocks flow of the pressurized gas from the body through the gas inlet valve; (c) a

biasing member which predisposes the gas inlet valve to have the closed position; and (d) at least one member which, when actuated, causes the gas inlet valve to have the open position thereby causing the pressurized gas to pressurize the syrup drink supply; and

a drink supply outlet valve coupled to said base having:

a spout with a longitudinally extending through opening defined by opposite ends, one of the opposite ends communicating with the body of the canister through the second opening in the body and the other one of the opposite ends of said spout through opening communicating with an external environment of the canister, the spout through opening being sized and shaped so as to at least partially house a sealing member engagable by the spout, the sealing member being displaceable relative to the canister between open and closed positions to respectively enable pressurized syrup drink supply to flow from the canister through the second opening in the body and to block pressurized syrup drink supply to flow from the said second opening in the body. ~~(a) a connection member removably connected to a second one of the ends of the body, the connection member positioned at a second one of the openings; and (b) a rotatable member, coupled to the connection member, the rotatable member rotatable between:~~

~~(i) an open position which enables the pressurized syrup drink supply to flow from the body through the second opening; and~~

~~(ii) — a closed position which blocks flow of the pressurized syrup  
drink supply from the body through the second opening.~~

Claim 26 (canceled)

Claim 27 (canceled)

Claim 28 (previously presented): The pressurizable drink supply canister of Claim 25, wherein the gas inlet valve is removably attached to the first end of the body.

Claim 29 (previously presented): The pressurizable drink supply canister of Claim 25, wherein the gas inlet valve includes an umbrella valve.

Claim 30 (previously presented): The pressurizable drink supply canister of Claim 25, wherein the gas inlet valve includes a grommet.

Claim 31 (previously presented): The pressurizable drink supply canister of Claim 25, wherein the gas inlet valve includes a pierceable sealing member.

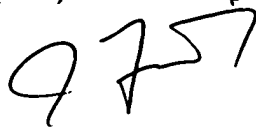
Claim 32 (previously presented): The pressurizable drink supply canister of Claim 25, which includes a first mating member connected to the body which is adapted to co-act

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with a second mating member of a drink supply canister holder of the beverage dispensing apparatus.

Cancel claims 33-36.

Any inquiry concerning this communication should be directed to Joseph A. Fischetti at telephone number (703) 305-0731.

A handwritten signature in black ink, appearing to read "J. Fischetti", with a stylized flourish at the end.